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STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY
WISCONSIN EMPLOYMENT
RELATIONS COMMISSION

KENOSHA PROFESSIONAL POLICEMEN'S
ASSOCIATION,

Petitioner,

Case No. 82-CV-1223

v.

CITY OF KENOSHA,

Decision No. 19110-B

Respondent.

JUDGMENT

The above-entitled proceeding having been commenced on September 12, 1982, to review a decision and order of the Wisconsin Employment Relations Commission under the Municipal Employment Relations Act; and

The petitioner having appeared by Jerold Breitenbach, Breitenbach & Zievers, the Commission having appeared by David C. Rice, Assistant Attorney General, and the City of Kenosha having appeared by Roger Walsh, Lindner, Honzik, Marsack, Hayman & Walsh, S.C.; and

The Commission having moved to dismiss the proceeding on the ground that the court lacked jurisdiction because of the petitioner's failure to commence the proceeding within the time period prescribed by sec. 227.16(1)(a), Stats.; and

The court, the Honorable William U. Zievers, presiding, having denied the Commission's motion and having denied the

Commission's subsequent motion for reconsideration by orders dated June 29, 1983, and September 2, 1983, respectively; and

The Commission having petitioned the court of appeals for permission to appeal from the orders of the circuit court; and

The court of appeals having entered an order on October 26, 1983, summarily reversing the orders of the circuit court,

Now Therefore, IT IS ORDERED, ADJUDGED AND DECREED that this proceeding be, and the same hereby is, dismissed.

Dated at Kenosha, Wisconsin, this 28th day of October, 1983.

BY THE COURT:

The original was signed by WILLIAM U. ZIEVERS on the date indicated"

William U. Zievers
Circuit Judge